

REMARKS**Summary of the Office Action**

In the Office Action, the drawings are objected to for certain informalities.

Claims 1 and 3-6 stand rejected under 35 U.S.C. § 112, first paragraph.

Claims 2, 11-12, and 14-19 stand rejected under 35 U.S.C. § 112, second paragraph.

Claims 1-12 and 14-19 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Japanese Publication Number 10-129912, issued to *Kimura et al.* (“Kimura”).

Summary of the Response to the Office Action

Applicants amend claims 1-3, 7-8, 12, and 14-18. Applicants respectfully submit that the specification enables one of ordinary skill in the art to make and/or use the invention.

Accordingly, claims 1-12 and 14-19 are pending and are submitted for further consideration.

Drawings

Applicants respectfully suggest that the drawings do show the disputed features of claims 1-3, 7-8, 10-11 and 14. While the claimed features may be identified by another name in the “Detailed Description of the Invention,” that does not mean that such features are not shown in the drawings. For example, “an enclosure that includes a first guide part at least a part of which can be exposed to outside,” as recited at least in claims 1, 3, 7, and 8, is shown as a two-sided unit 98 with an inside guide part 124 and an outside guide part 122 in Figs. 4-6 of the drawings. See at least page 18, lines 3-18 of the specification. The same is true for the other claimed features identified in the Office Action. That is, Applicants respectfully submit that all the claimed features are shown in Figs. 1-11.

All Subject Matter Complies With 35 U.S.C. § 112, first paragraph

The Office Action rejects claims 1 and 3-6 under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention. Applicants respectfully traverse the rejection for the following reasons.

The Office Action takes the position that “the claimed another sheet transporting device,” is not described in the specification. Applicants respectfully disagree.

Applicants respectfully assert that there is reference to another sheet transporting device at least at page 31, lines 2-12 of the specification. This language comports with claims 1 and 3-6 which recite “another sheet transporting device” and the summary of the invention section which describes “another sheet transporting device” at least at page 2, line 14 through page 4, line 1 of the specification.

Applicants respectfully assert that the “another sheet transporting device” feature is fully enabled in the specification and that one of ordinary skill in the art would have understood that these portions of the specification, when read in context with the entire specification, support claims 1 and 3-6.

Furthermore, it is respectfully submitted that Applicants’ specification enables one of ordinary skill in the art to make and use the claimed invention. Accordingly, the rejections under 35 U.S.C. § 112, first paragraph, should be withdrawn.

All Subject Matter Complies with 35 U.S.C. § 112, second paragraph

Claims 2, 11-12, and 14-19 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Claims 2, 12, and 15-18 have been amended to correct the errors

pointed out by the Examiner in the July 6, 2005 Office Action. Applicants respectfully submit that these rejections are respectfully traversed in light of the current amendments to claims 2, 12, and 15-18.

Further, Applicants respectfully submit that claims 11, 14, and 19 are sufficiently clear and unambiguous so that there is no need to amend the claims. Claim 11, which is dependent from claims 10, 9, and 7, contains sufficient structure to understand how the sheet reversal unit holds the sheet at a higher pressure than the sheet ejection unit. The structure is easily identified in Fig. 2 and at least at page 15, lines 17-25 of the specification.

With respect to claim 14, the immediate position of the “cover part that covers an exposed portion of the enclosure” is immaterial to the claim. Thus, Applicants respectfully submit that the rejection under 35 U.S.C. § 112, second paragraph, be removed.

With respect to claim 19, Applicants respectfully submit that one of ordinary skill in the art would know how the sheet is reversed in the image forming apparatus. See Fig. 2 in the specification. Accordingly, it is respectfully requested that all rejections under 35 U.S.C. § 112, second paragraph, be withdrawn.

All Subject Matter Complies with 35 U.S.C. § 102(b)

Claims 1-12 and 14-19 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by *Kimura*. Applicants respectfully traverse the rejection for the following reasons.

Applicants respectfully submit that the Office Action has not established that *Kimura* anticipates each and every feature of Applicants’ claimed invention and that all rejections under 35 U.S.C. § 102(b) should be withdrawn. Namely, Applicants contend that independent claims

1-3, 7-8, and 14 recite the feature of “a face portion located at the first guide part and the second guide part.” At least this feature is not disclosed or taught by *Kimura*.

Kimura discloses an image forming apparatus with a paper sheet reversing device. See Abstract of *Kimura*. However, *Kimura* fails to teach or suggest at least the above-mentioned features of newly amended independent claims 1-3, 7-8, and 14. That is, *Kimura* does not disclose a face portion that is exposed to the outside and is located at the first guide part and the second guide part. Because *Kimura* does not disclose the above-mentioned features, it cannot anticipate the present invention.

As pointed out in MPEP § 2131, a claim is anticipated by a prior art reference only if each and every element as set forth in the claim is found. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051 (Fed. Cir. 1987). Therefore, Applicants respectfully assert that the rejection under 35 U.S.C. § 102(b) should be withdrawn because *Kimura* does not teach or suggest each feature of newly amended independent claims 1-3, 7-8, and 14.

Additionally, Applicants respectfully submit that dependent claims 4-6, 9-12, and 15-19 are also allowable insofar as they recite the patentable combinations of features recited in newly amended independent claims 1-3, 7-8, and 14, as well as reciting additional features that further distinguish over the applied prior art.

CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the Response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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